

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAVIER MARTINEZ,

Petitioner,

v.

LOWELL CLARK, et al.,

Respondents.

C20-780 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The motion for leave to appeal *in forma pauperis*, docket no. 16, is DENIED. “[I]f a prisoner . . . files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of the filing fee.” 28 U.S.C. § 1915(b)(1); Fed. R. App. P. 24(a)(2) (“[T]he party may proceed on appeal without prepaying or giving security for fees and costs, unless a statute provides otherwise.”). Although the statute also directs the Court to assess whether an initial partial filing fee is appropriate, *see* 28 U.S.C. § 1915(b)(1), Petitioner, who is represented by counsel, has not “claim[ed] an entitlement to redress” or “state[d] the issues that [he] intends to present on appeal.” Fed. R. App. P. 24(a)(1). Absent any indication that Petitioner intends to present non-frivolous claims on appeal, *see* Order (docket no. 12), the Court CERTIFIES that Petitioner’s appeal is not taken in good faith. 28 U.S.C. § 1915(a)(3).

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record and to the United States Court of Appeals for the Ninth Circuit.

Dated this 2nd day of February, 2021.

William M. McCool

Clerk

s/Gail Glass

Deputy Clerk